Notice of Allowability	Application No.	Applicant(s)
	10/723,480	GOLDING, RICHARD A.
	Examiner	Art Unit
	Matthew Bradley	2187

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *amendment filed 4/9/2007*.

2. ☒ The allowed claim(s) is/are *1,6-14,19-27 and 32-40*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

       1. ☐ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

       3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

          International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

       1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

       Paper No./Mail Date _____ .

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

DETAILED ACTION

Response to Amendment

This Office Action has been issued in response to amendment filed 9 April 2007.

Applicant's arguments have been carefully and fully considered and are persuasive.

Claim Status

Claims 1-40 remain pending and are ready for examination.

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Mohammad S. Rahman Registration No. 43,029 on 21 June 2007.

The application has been amended as follows:

With respect to the claims dated 9 April 2007,

- o Amend claim **1** as follows:

    - o Line 11: Insert -- wherein said step of converting further comprises

        determining which of said grouped object RAID layout or individual

        RAID layout to convert said variably sized object into based on a

        size of the variably sized object being converted; wherein said

        step of converting into a grouped object RAID layout further

        comprises selecting a group based on whether said group

comprises other objects similarly sized to said variably sized

object; wherein the similarly sized objects comprise variably sized

objects capable of changing a number of bytes of data included

therein; recomputing a parity of said group to include said variably

sized object;-- before "and"

- o Amend claim **14** as follows:

    - o Line 13: Insert – wherein said step of converting further comprises

      determining which of said grouped object RAID layout or individual

      RAID layout to convert said variably sized object into based on a

      size of the variably sized object being converted; wherein said

      step of converting into a grouped object RAID layout further

      comprises selecting a group based on whether said group

      comprises other objects similarly sized to said variable sized

      object; wherein the similarly sized objects comprise variably sized

      objects capable of changing sizes; recomputing a parity of said

      group to include said variably sized object;-- before "and"

- o Amend claim **27** as follows:

    - o Line 14: Insert –wherein said data converter is operable for

      determining which of said grouped object RAID layout or individual

      RAID layout to convert said variably sized object into based on a

      size of the variably sized object being converted; wherein said

      grouped object RAID layout is selected based on determining

whether a group comprises other objects similarly sized to said variably sized object; wherein the similarly sized objects comprise variably sized objects capable of changing sizes by changing a number of bytes of data included therein; further comprising a recomputed parity of said group to include said variably sized object;-- before "and"

- o Amend claim **40** as follows:

  - o Line 12: Insert -- means for determining which of said grouped object RAID layout or individual RAID layout to convert said variably sized object into based on a size of the variably sized object being converted; means for selecting a group based on whether said group comprises other objects similarly sized to said variable sized object; wherein the similarly sized objects comprise variably sized objects capable of changing sizes; means for recomputing a parity of said group to include said variably sized object;-- before "and"

- o Cancel dependent claims **2-5**, **15-18**, and **28-31**.

Allowable Subject Matter

Claims **1**, **6-14**, **19-27**, and **32-40** are allowed.

The following is an Examiner's statement of reasons for allowance: the prior art made of record teaches a RAID system, but fails to teach the combination including the limitation of:

(Claim **1**) "...wherein said step of converting further comprises determining which of said grouped object RAID layout or individual RAID layout to convert said variably sized object into based on a size of the variably sized object being converted; wherein said step of converting into a grouped object RAID layout further comprises selecting a group based on whether said group comprises other objects similarly sized to said variably sized object; ...";

(Claim **14**) "...wherein said step of converting further comprises determining which of said grouped object RAID layout or individual RAID layout to convert said variably sized object into based on a size of the variably sized object being converted; wherein said step of converting into a grouped object RAID layout further comprises selecting a group based on whether said group comprises other objects similarly sized to said variable sized object; ...";

(Claim **27**) "...wherein said data converter is operable for determining which of said grouped object RAID layout or individual RAID layout to convert said variably sized object into based on a size of the variably sized object being converted; wherein said grouped object RAID layout is selected based on determining whether a group comprises other objects similarly sized to said variably sized object; ...";

(Claim **40**) "...means for determining which of said grouped object RAID layout or individual RAID. layout to convert said variably sized object into based on a size of the variably sized object being converted; means for selecting a group based on whether said group comprises other objects similarly sized to said variable sized object; ...";

As dependent claims **6-13**, **19-26**, and **32-39** depend from an allowable base claim; they are at least allowable for the same reasons as noted *supra*.

The prior art made of record neither anticipates nor renders obvious the above-recited combinations for at least the reasons specified and as shown in Applicant's Arguments filed 9 April 2007.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed 9 April 2007 have been carefully and fully considered, and are persuasive. As noted *supra* the case is in condition for allowance.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew Bradley whose telephone number is (571) 272-8575. The examiner can normally be reached on 6:30-3:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald A. Sparks can be reached on (571) 272-4201. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only.
For more information about the PAIR system, see http://pair-direct.uspto.gov. Should
you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a
USPTO Customer Service Representative or access to the automated information
system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BRP/mb

Brian R. Peugh
Primary Examiner